

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 21-0099V

UNPUBLISHED

HANNAH GAMMONS,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: April 1, 2022

Special Processing Unit (SPU);
Ruling on Entitlement; Concession;
Table Injury; Meningococcal Vaccine;
Shoulder Injury Related to Vaccine
Administration (SIRVA)

John Robert Howie, Howie Law, PC, Dallas, TX, for Petitioner.

Ryan Daniel Pyles, U.S. Department of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT¹

On January 5, 2021, a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*² (the “Vaccine Act”), was filed on behalf of Hannah Gammons, who was at the time a minor. Upon reaching the age of majority, this case was ordered re-captioned to reflect Hannah Gammons as the sole petitioner. ECF No. 26.

Petitioner alleges that she suffered a shoulder injury related to vaccine administration (“SIRVA”) as a result of a meningococcal vaccine that was administered to her on November 2, 2020. Petition at 1. The case was assigned to the Special Processing Unit of the Office of Special Masters.

¹ Because this unpublished Ruling contains a reasoned explanation for the action in this case, I am required to post it on the United States Court of Federal Claims' website in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). **This means the Ruling will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

² National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all section references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2012).

On March 31, 2022, Respondent filed his Rule 4(c) report in which he concedes that Petitioner is entitled to compensation in this case. Respondent's Rule 4(c) Report at 1. Specifically, Respondent "concluded that [P]etitioner's claim meets the Table criteria for SIRVA." *Id.* at 3. Respondent further agrees that the case was timely filed, the vaccine was received in the United States, the statutory six month sequela requirement has been satisfied, and there has been no prior award or settlement of a civil action for damages as a result of Petitioner's alleged condition. *Id.*

In view of Respondent's position and the evidence of record, I find that Petitioner is entitled to compensation.

IT IS SO ORDERED.

s/Brian H. Corcoran

Brian H. Corcoran
Chief Special Master